

FILED BY THOMAS M. GOULD D.C.
IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
05 AUG 17 PM 1:48 WESTERN DIVISION

FILED BY THOMAS M. GOULD D.C.
05 AUG 16 PM 3:04

SAMANTHA D. TERRY
THOMAS M. GOULD
CLERK U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

Plaintiff,

v.

Civil Action No. 05-2565 D/An.

ALLENBROOKE NURSING AND
REHABILITATION CENTER, LLC,

Defendant.

MOTION OF SPENCER A. KINDERMAN FOR ADMISSION *PRO HAC VICE*

Spencer A. Kinderman, pursuant to Local Rule 83.1(b) and other applicable provisions of law, moves the Court to admit him specially for the purpose of acting as attorney for the Defendant, Allenbrooke Nursing and Rehabilitation Center, LLC, in this civil action, and states as follows:

1. I am an attorney who is licensed to practice law in all courts of the State of Alabama, including the Supreme Court of Alabama. I was admitted to practice in Alabama in 1994; my Alabama State Bar Number is ASB-3831-D59S. I also am admitted to practice before the United States District Courts for the Northern, Middle, and Southern Districts of Alabama.

2. I am a partner in the law firm of Johnston Barton Proctor & Powell LLP, 2900 AmSouth/Harbert Plaza, 1901 Sixth Avenue North, Birmingham, AL 35203, (205) 458-9400.

3. Attached hereto is a copy of my Certificate of Good Standing from the United States District Court for the Northern District of Alabama.

4. I certify that I have obtained and am familiar with the local rules of this Court, including the Guidelines of Professional Courtesy and Conduct.

MOTION GRANTED

DATE: 8/16/2005

Bernice Bouie Donald
BERNICE BOUIE DONALD
U.S. DISTRICT JUDGE

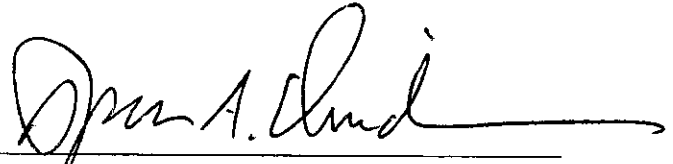
5. I certify that I am in good standing in all courts in which I am admitted to practice, and further certify that I have not been disciplined at any time by any court before which I have practiced.

6. John J. Heflin, III and John Marshall Jones of Bourland, Heflin, Alvarez & Minor, PLC, 5400 Poplar Avenue, Suite 100, Memphis, TN 38119, (901) 683-3526, will serve as local counsel for the Defendant, Allenbrooke Nursing and Rehabilitation Center, LLC.

7. Counsel for the Plaintiff has no objection to the relief requested herein. *See* accompanying Certificate of Counsel.

8. A proposed Order granting the Motion is submitted herewith.

WHEREFORE, Spencer A. Kinderman respectfully requests that the Court admit him specially for the purpose of representing the Defendant in this civil action.


SPENCER A. KINDERMAN
Alabama State Bar No. ASB-3831-D59S

JOHNSTON BARTON PROCTOR & POWELL LLP
2900 AmSouth/Harbert Plaza
1901 Sixth Avenue North
Birmingham, AL 35203
(205) 458-9400

JOHN J. HEFLIN, III
Tennessee Disciplinary No. 6142
JOHN MARSHALL JONES
Tennessee Disciplinary No. 13289

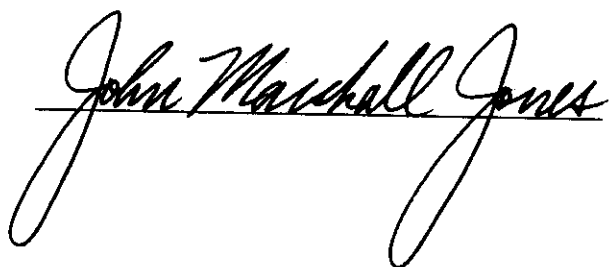
Attorneys for Defendant

BOURLAND, HEFLIN, ALVAREZ & MINOR, PLC
5400 Poplar Avenue, Suite 100
Memphis, TN 38119
(901) 683-3526

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been served on the following person by first class United States mail, postage prepaid, this 16th day of August, 2005:

James D. Harper, Esq.
Stroud, Harper & Whitwell, PC
5779 Getwell Road
Building C, Suite 1
Southaven, MS 38672

A handwritten signature in cursive script, reading "John Marshall Jones", written over a horizontal line.

UNITED STATES DISTRICT COURT

Northern District of Alabama
Office of the Clerk
Room 140, 1729 5th Avenue North
Birmingham, Alabama 35203
(205) 278-1700

Perry Mathis
Clerk

Sharon Harris
Chief Deputy Clerk


CERTIFICATE OF GOOD STANDING

I, **Perry D. Mathis**, Clerk of the United States District Court, Northern District of Alabama,

DO HEREBY CERTIFY that **SPENCER A. KINDERMAN** was duly admitted to practice in said Court on **November 3, 1994**, and is in good standing as a member of the bar of said Court.

Dated at Birmingham, Alabama, on August 2, 2005.

PERRY D. MATHIS, CLERK

By: 
Deputy Clerk



Notice of Distribution

This notice confirms a copy of the document docketed as number 6 in case 2:05-CV-02565 was distributed by fax, mail, or direct printing on August 18, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT